



*AF 1600*  
PATENT  
Attorney Docket No.: EXT-072C1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 30 2002

APPLICANTS: Boles *et al.* TECH CENTER 1600/2900  
SERIAL NO.: 10/024,944 GROUP NO.: 1634  
FILING DATE: December 19, 2001 EXAMINER: Einsmann, Juliet  
TITLE: Detection of Non-Viral Organisms with SRP RNA

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Box AF, Commissioner for Patents, Washington, DC 20231 on this 18<sup>th</sup> day of September, 2002.

*N. Deane*  
Nicole Deane

BOX AF  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith are:

1. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences and/or Submission of Appeal Brief (1 pg.)
2. Amendment and Response (16 pgs.)
3. Petition for Extension of Time Under 37 C.F.R. 1.136(a) (1 pg.)
4. Request for Corrected Filing Receipt (1 pg.)
5. Copy of Filing Receipt with changes made in red (2 pgs.)
6. Transmittal Form (1 pg.)
7. Fee Transmittal (1 pg.)
8. Check in the amount of \$460.00
9. Check in the amount of \$160.00
10. Return Receipt postcard



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TECH CENTER 1600/2900

TRANSMITTAL  
FORM

Application Serial Number	10/024,944
Filing Date	December 19, 2001
First Named Inventor	Boles
Group Art Unit	1634
Examiner Name	Einsmann, Juliet Caroline
Attorney Docket No.	EXT-072C1
Patent No.	Not applicable
Issue Date	Not applicable

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Checks Attached</li> <li><input type="checkbox"/> Copy of Fee Transmittal Form</li> </ul>	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <ul style="list-style-type: none"> <li><input type="checkbox"/> Formal Drawing(s)</li> </ul>	<input checked="" type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <ul style="list-style-type: none"> <li><input type="checkbox"/> Appeal Brief (in triplicate)</li> </ul>
<input checked="" type="checkbox"/> Amendment/Response <ul style="list-style-type: none"> <li><input type="checkbox"/> Preliminary</li> <li><input checked="" type="checkbox"/> After Final</li> <li><input type="checkbox"/> Affidavits/declaration(s)</li> <li><input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]</li> </ul>	<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <ul style="list-style-type: none"> <li><input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)</li> </ul>	<input type="checkbox"/> Status Inquiry <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Return Receipt Postcard</li> <li><input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8</li> <li><input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8</li> </ul>
<input checked="" type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <ul style="list-style-type: none"> <li><input type="checkbox"/> Small Entity Statement</li> </ul>	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) <ul style="list-style-type: none"> <li>• Request for Corrected Filing Receipt</li> <li>• Copy of Filing Receipt with changes made in red</li> </ul>
<input type="checkbox"/> Information Disclosure Statement <ul style="list-style-type: none"> <li><input type="checkbox"/> Form PTO-1449</li> <li><input type="checkbox"/> Copies of IDS Citations</li> </ul>	<input type="checkbox"/> CD(s) for large table or computer program <ul style="list-style-type: none"> <li><input type="checkbox"/> Amendment After Allowance</li> </ul>	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Certificate of Correction <ul style="list-style-type: none"> <li><input type="checkbox"/> Certificate of Correction (in duplicate)</li> </ul>	
<input type="checkbox"/> Sequence Listing submission <ul style="list-style-type: none"> <li><input type="checkbox"/> Paper Copy/CD</li> <li><input type="checkbox"/> Computer Readable Copy</li> <li><input type="checkbox"/> Statement verifying identity of above</li> </ul>		

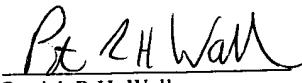
CORRESPONDENCE ADDRESS

SIGNATURE BLOCK

Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

Date: September 18, 2002  
Reg. No. 41,418  
Tel. No.: (617) 248-7240  
Fax No.: (617) 248-7100

Respectfully submitted,

  
Patrick R.H. Waller  
Attorney for Applicants  
Testa, Hurwitz & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110

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FEE TRANSMITTAL  
FY 2002  
SEP 24 2002

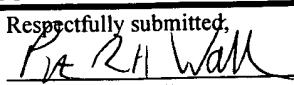
Complete in own

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Application Serial Number	10/024,944
Filing Date	December 19, 2001
First Named Inventor	Boles
Group Art Unit	1634
Examiner Name	Einsmann, Juliet Caroline
Attorney Docket No.	EXT-072C1

SEP 30 2002

TECH CENTER 1600/2900

METHOD OF PAYMENT		FEE CALCULATION (continued)		
1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Checks <input type="checkbox"/> Money Order <input type="checkbox"/> Other		3. ADDITIONAL FEES		
2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit. 3. <input checked="" type="checkbox"/> Applicant claims small entity status.		Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
				Fee Paid
		130	65	Surcharge - late filing fee or oath
		50	25	Surcharge - late provisional filing fee or cover sheet
		130	130	Non-English specification
		2,520	2,520	Request for ex parte reexamination
		110	55	Extension for reply within first month
		400	200	Extension for reply within second month
		920	460	Extension for reply within third month
		1440	720	Extension for reply within fourth month
		1960	980	Extension for reply within fifth month
		320	160	Notice of Appeal
		320	160	Filing a brief in support of an appeal
		280	140	Request for oral hearing
		130	130	Petitions to the Commissioner
		180	180	Submission of Information Disclosure Statement
		740	370	Filing a submission after final rejection (37 CFR 1.129(a))
		740	370	For each additional invention to be examined (37 CFR 1.129(b))
		100	100	Certificate of Correction for applicant's error
		Other fee (Specify)		
		Other fee (Specify)		
		TOTAL: 0		
		SUBTOTAL (1) (\$ 0.00)		
2. AMENDMENT CLAIM FEES		SUBTOTAL (3) (\$ 620.00)		
Claims Remaining After Amend.		Highest No. Previously Paid For	Present Extra	Fee Paid
Total Indep. <input type="checkbox"/> First Presentation of Multiple Dep. Claim			x \$ 18.00 = x \$ 84.00 = + \$280.00 =	
				SUBTOTAL (1) 0.00 SUBTOTAL (2) 0.00 SUBTOTAL (3) \$ 620.00
				TOTAL (\$ 620.00)
CORRESPONDENCE ADDRESS		SIGNATURE BLOCK		
Direct all correspondence to:		Respectfully submitted,  Patrick R.H. Waller Attorney for the Applicants Testa, Hurwitz & Thibeault, LLP High Street Tower-125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100		



PATENT  
Attorney Docket No. : EXT-072C1

48  
CFR

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Boles *et al.*

SERIAL NO.: 10/024,944

GROUP NO.: 1634

FILED: December 19, 2001

EXAMINER: Einsmann, Juliet  
Caroline

TITLE: Detection of Non-Viral Organisms with SRP RNA

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SEP 30 2002

TECH CENTER 1600/2900

Office of Initial Patent Examination  
Customer Service Center  
Assistant Commissioner for Patents  
Washington, DC 20231

**REQUEST FOR CORRECTED FILING RECEIPT**

1. Attached is a copy of the official filing receipt received from the Patent Office for the above-identified application for which issuance of a corrected filing receipt is respectfully requested.
2. There is an error with respect to the following data, which is:

incorrectly entered

*and/or*

omitted

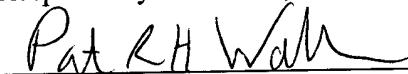
***Error In***

1.  Attorney Docket Number

***Correct Data***

1. EXT-072C1

Respectfully submitted,

  
\_\_\_\_\_  
Patrick R.H. Waller  
Attorney for Applicants  
Testa, Hurwitz, & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

Date: September 18, 2002  
Reg. No.: 41,418

Tel. No.: (617) 248-7240  
Fax No.: (617) 248-7100



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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/024,944	12/19/2001	1655	388	EXT-072C1	7	22	3

**EXT-072C1 CONFIRMATION NO. 8399**

021323  
 TESTA, HURWITZ & THIBEAULT, LLP  
 HIGH STREET TOWER  
 125 HIGH STREET  
 BOSTON, MA 02110

### FILING RECEIPT



\*OC000000007404122\*



Date Mailed: 01/31/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

### Applicant(s)

T. Christian Boles, Waltham, MA;  
 Lawrence Weir, Hopkinton, MA;  
 Benjamin B. Stone, Holliston, MA;

### Assignment For Published Patent Application

EXACT Sciences Corporation;

### Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/336,609 06/18/1999  
 WHICH CLAIMS BENEFIT OF 60/090,063 06/19/1998

### Foreign Applications

If Required, Foreign Filing License Granted 01/30/2002

Projected Publication Date: 05/09/2002

No Docketing Necessary

KFS

2-11-02

Administrator

Date

update UPCI

Reviewed & Approved

ML  
 Resp. Atty

2/13/02  
 Date

Title

\*\* SMALL ENTITY \*\*

## Detection of non-viral organisms with SRP RNA

**Preliminary Class**

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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